



ESL\2098\L04RAL93

ENVIRONMENTAL SERVICES Ltd.

MAIL: 5653 42ND AVENUE SW SEATTLE, WASHINGTON 98136-1516

January 20, 1993

Mr. Bob Strong
Director of Safety
Lynden Corporation
18000 Pacific Highway South
Seattle, Washington 98188

SCANNED

Re: Transport of Petroleum Contaminated Soils (PCS)
Legal considerations, State of Washington

Dear Bob:

Ross Schaff, Project Manager for Environmental Services, Ltd. for the Kent Bioremediation project, has researched the applicable information from the State of Washington relating to moving soils which have been contaminated with petroleum hydrocarbons. Your concern and ours involves consolidating at Kent the excavated material from several locations for the purpose of reducing the total petroleum hydrocarbon content to acceptable levels, so the product can be usefully applied to other purposes elsewhere.

The State of Washington, Department of Ecology publication "Guidance for Remediation of Releases from Underground Storage Tanks" says (page 28):

"2.3.8 Transportation of Contaminated Material

"Transportation of contaminated soil or water to another location for treatment may occur for the following reasons: (1) material could cause a threat to human health or the environment if treated on site; (2) treatability studies will be conducted at another location; (3) material is being transported to a landfill or regional treatment facility; or (4) it is more convenient to treat the material at another site. It is critical that no further release to the environment occurs during transport and subsequent treatment."

Dr. Schaff concludes that the current project falls under items (2) and (4), and therefore the proposed transport is within WDOE guidelines.

The "Guidance" further provides:

"2.3.1 Notification and Reporting

"Ecology recommends that any temporary facility treating greater than 100 cubic yards of material should provide prior, written notification to the local health department...

"Ecology also recommends that the local health department be notified if any amount of contaminated soil is to be transported to another site."

Environmental Services confirmed with John Stormon (206) 679-7274 of WDOE by telephone on January 5 1993 our intent to build a remediation cell at Kent using PCS from other sites as well as Kent. He referred us to the above "Guidance" document, and confirmed that no WDOE permits would be required other than the one required to move the tank. He advised us to notify the local health department of our activities.

Very truly yours,


Richard A. Lyon
Vice President

cc: Ross Schaff, PhD, Project Manager
James W. Kross, President

To: Bobbie Strong (STRONG)
Subject: 2ND AVE S CONTAMINATION

14:48:52 13 JAN 1993
P9955/267305 Page 1

Number: P9955/267305
Message date: 13 JAN 1993 02:37PM
From: Rod DeWalt (DEWALT) LI,GO
To: CHOLM
Re: P9955/267278
Subject: 2ND AVE S CONTAMINATION
cc: CBAUER STRONG

CHRISTEL... I ABSOLUTELY WOULD NOT RELEASE UNEDITED ENVIRONMENT REPORTS TO THE CITY OR WSDOT WITHOUT THE AGREEMENT OF THE PARTIES TO THIS MESSAGE!!
REGARDING THE TREATMENT OF "ALL" OUR SOILS IN KENT, DO I UNDERSTAND THAT THE CONSULTANTS FEEL THAT SOILS CAN BE BROUGHT FROM OFF-SITE FOR TREATMENT AT THE KENT YARD? I'D LIKE TO BE ASSURED THAT WE'RE NOT LOOKING FOR TROUBLE WITH DOE BY DOING SO... HOW ABOUT SILVER EAGLE, DO WE NEED TO FORMALLY TAKE-BACK THE "BACKYARD" TO UTILIZE IN THIS MANNER? IF WE WERE THE LESSEE, I BELIEVE WE WOULD OBJECT TO THIS ACTIVITY ON OUR LEASEHOLD... GOSH, I'M SOUNDING REAL NEGATIVE TODAY... ROD

Number: P9955/267278
Message date: 13 JAN 1993 02:02PM
Sender: Christel Holm (CHOLM) LI,GO
From: CHOLM
To: DEWALT
Subject: 2ND AVE S CONTAMINATION
cc: STRONG CHOLM

THIS MORNING STRONG, CBAUER AND I MET WITH ENVIRONMENTAL SERVICES RE THE CLEANUP OF ALL THE CONTAMINATED SOIL, I.E. THE PILES AT KENT, W. MARGINAL INC. THE DIRT FROM KETCHIKAN AND JUNEAU. WE HAVE ACCEPTED THEIR PROPOSAL TO BIOREMEDIATE ALL THE DIRT AT KENT.

AT THE SAME TIME WE DISCUSSED THE 2ND AVE S SITE AND CRAIG MENTIONED THAT THE CITY IS CONCERNED ABOUT OUR HAVING CONTAMINATED THEIR PROPERTY AND THAT YOU HAD AGREED TO GIVE THEM COPIES OF OUR ENVIRONMENTAL REPORTS. BEFORE YOU PASS ON ANY REPORTS, PLS CHECK WITH BOBBIE ON WHAT, IF ANYTHING, NEW ESI WAS ABLE TO TELL US ABOUT THE SITE OR IF ESI CAN ISSUE A STRONGER OPINION THAT OUR SITE DOES NOT POSE AN ENVIRONMENTAL THREAT TO THE STATE OR CITY PROPERTIES.

== End of Message ==